

CAMPAIGN SPENDING COMMISSION

STATE OF HAWAII

In Re the Matter of)	CA 03-10
)	
STANFORD CARR DEVELOPMENT)	
CORPORATION and Stanford Carr)	
)	
Respondents.)	
_____)	

CONCILIATION AGREEMENT

On or around February 2003, Robert Y. Watada, Executive Director for the Campaign Spending Commission ("Commission"), initiated an investigation of Respondents, Stanford Carr Development, LLC and Stanford Carr (collectively referred to as "Carr"). Stanford Carr is listed as the agent and manager of the company whose purpose is real estate development. Business address listed with the Business Registration Division is 745 Fort Street, Suite 2110, Honolulu, Hawaii. The investigation was initiated pursuant to the express authority of section 11-193, Hawaii Revised Statutes ("HRS"), for a determination of whether the campaign spending law had been violated and a complaint would be submitted to the Commission.

NOW, THEREFORE, Carr and the Commission, having entered into conciliation and pursuant to section 11-216(g), HRS, do hereby agree as follows:

- I. That the Commission has jurisdiction over Respondents and the subject matter of this administrative action.
- II. That this Conciliation Agreement ("Agreement") and upon complete performance of the conditions stated herein has the effect of remedial or

corrective action taken by Respondents pursuant to section 11-216(g),
HRS.

- III. That Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- IV. That Respondents waive the right to be heard at a public hearing conducted under chapter 91, HRS, pursuant to section 11-228(b), HRS.
- V. That Respondents enter into this Agreement with the Commission on their own volition and with full knowledge and understanding.
- VI. That parties agree to the pertinent facts as follows:
 - 1. On or around February 2003, Robert Y. Watada, in his capacity as Executive Director of the Campaign Spending Commission, and upon information received through the disclosure statements of the Jerry Chang campaign committee ("Chang"), initiated an investigation involving excess contributions in violation of section 11-204, HRS.
 - 2. Section 11-204(a)(1)(A), HRS, reads in part as follows: No person or any other entity shall make contributions to:...A candidate seeking nomination or election to a two-year office or to the candidate's committee in an aggregate amount greater than \$2,000 during an election period.
 - 3. The Commission finds that Carr made contributions to various candidates from 1998 to 2002 in the amount of \$22,500.

4. The election period for the Chang campaign committee for Representative includes the period from November 7, 2000 to November 5, 2002.
5. On or about March 20, 2001, Carr made a non-monetary contribution to Chang in the amount of \$1,980.
6. On or about April 26, 2002, Carr made a contribution to Chang in the amount of \$2,000.
7. That Carr did not file an organizational report pursuant to section 11-194, HRS.
8. That Carr did not file disclosure reports pursuant to sections 11-212 and 11-213, HRS.

VII. Settlement Terms

As final settlement of the matter and issues in Conciliation Agreement #03-10, Carr understands and agrees to the following:

- (A) Carr agrees to an assessment of **Six Hundred Dollars (\$600)** pursuant to section 11-228, HRS.
- (B) The Commission finds that Carr made contributions in excess of the limits pursuant to section 11-204(a)(1)(A), HRS, and failed to file an organizational report and required disclosure reports pursuant to sections 11-212 and 11-213, HRS.
- (C) Carr agrees to comply with campaign finance statutes on contribution and expenditures to candidate committees.

(D) Terms of payment of the assessment shall be by Order of the Commission.

VIII. The Commission upon its own motion or a written request of anyone filing a complaint under section 11-216, HRS, may review compliance with the Agreement. If the Commission believes that the Agreement has been violated, it may institute administrative proceedings or a civil action in the Circuit Court of the First Circuit pursuant to section 11-228(c), HRS.

IX. This Agreement shall become effective as of the date that all parties have signed and the Commission has approved the entire Agreement.

X. This Agreement constitutes the entire agreement between the Commission and Carr on the matters raised herein, and no other statement, promise, or agreement, either in writing or oral, not contained in this Agreement made by either party or by agents of either party shall be enforceable.

XI. This Agreement, unless violated, shall be a complete bar to any further action by the Commission with respect to the violations at issue in this matter.

FOR THE COMMISSION:

Robert Y. Watada, Executive Director

By: _____

Date: _____

FOR THE RESPONDENT(S)

Stanford Carr

By: _____

(Name)

(Title)

Date: _____